

Message Text

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ACTION COME-00

INFO OCT-01 ARA-16 ISO-00 EB-11 L-03 RSC-01 DRC-01 /033 W

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R 261959Z FEB 74

FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC 1487

UNCLAS BOGOTA 1671

EO 11652: NA

TAGS: EIND CO

SUBJ: COLOMBIAN DECISION ABROGATING SPECIFIC PATENT APPLICATION

REF: A. STATE 18846; B. BOGOTA 1645

1. PARA ONE REFTEL (A) INCORRECTLY INTERPRETS ADVISORY OPINION OF STATE COUNCIL DATED NOV 22, 73. ADVISORY OPINION HELD THAT PRIOR FILING OF A PATENT ABROAD DESTROYED THE NOVELTY OF THE INVENTION AND THEREFORE MADE IT UNPATENTABLE IN COLOMBIA. IT ALSO HELD THAT THE INVENTION SHOULD BE REGISTERED AS A CONFIRMATION OF A PATENT ALREADY REGISTERED ABROAD. THE OPINION DID NOT REVISE OR ALTER INTERPRETATION OF EXISTING COLOMBIAN LAW.

2. ADVISORY OPINION OF 11/22/73 WAS BASED ON MANY CONSIDERATIONS INCLUDING FACT THAT PATENT APPLICATION WAS FILED IN 1968 UNDER PATENT LAW OF 1925, BUT WAS ANNULLED IN 1971 UNDER NEW LAW OF 1971.

3. ADVISORY OPINION IS UNKNOWN OUTSIDE PATENT OFFICE AND HAS SIGNIFICANCE ONLY FOR THIS SPECIFIC PATENT APPLICATION OF FIBER INDUSTRIES INC. FOR DETAILS OF INTERPRETATION DEPT SHOULD CONTACT FIBER INDUSTRIES FOR RESOLUTION OF SUPERINTENDENCY OF COMMERCE AND INDUSTRY DATED 7 DEC 1971 WHICH WAS REAFFIRMED BY ADVISORY OPINION, AND ANALYSIS OF FIBER INDUSTRIES' LEGAL ADVISORS.

4. EMB POUCHING COPY OF ADVISORY OPINION AND TRANSLATION OF RELEVANT PORTIONS OF 1971 PATENT LAW, INTERPRETATION OF WHICH REMAINS UNCHANGED.

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WHITE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TREATY TERMINATION, PATENT AGREEMENTS, PATENT LAW, PATENT REGISTRATIONS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 26 FEB 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BOGOTA01671
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: BOGOTA
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1974/newtext/t19740210/aaaaaipn.tel
Line Count: 61
Locator: TEXT ON-LINE
Office: ACTION COME
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: A. STATE 18846; B. BOGOTA 1645
Review Action: RELEASED, APPROVED
Review Authority: kelleyw0
Review Comment: n/a
Review Content Flags:
Review Date: 04 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 MAR 2002 by elbezejf>; APPROVED <04 DEC 2002 by kelleyw0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: COLOMBIAN DECISION ABROGATING SPECIFIC PATENT APPLICATION
TAGS: EIND, CO, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005